

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KATHRYN BAUMAN RUBENSTEIN,)
Et al;)
PLAINTIFFS,)

Vs.

MARILYN GRANGER,
Et al;,
DEFENDANTS

**CIVIL CASE
NO: 1:07CV798-MHT**

MOTION FOR PRELIMINARY INJUNCTION

Plaintiff, Kathryn Bauman Rubenstein, moves this Honorable Court for a preliminary injunction in the above entitled cause enjoining defendants; The Betty Jo Bauman Trust, The Ted Bauman Trust, Bauman Realty, Ted Bauman Investments, Marilyn Bauman Granger, Barbara Bauman Kamensky, Brian Bickhaus, Richard Fox, Boyd Horn, Robert Birmingham, Pat Black, G. David Johnston, Don P. Bennett, Nanette Pitcher, Nanette Pitcher, Dianne Ream, Anne Chandler, Marie White Bauman, Alan E. Kamensky, Benjamin Wayne Granger, Ross Kennedy, Lexa Dowling, Faye Ferrell, Doug McKeown, Wallace Cooley, Tom Zeigenfelder, Michael Conoway, Arthur Medley, Joel Weatherford, Margaret Johnston, Carl E. Jones, D. Bryan Jordan, Jere Segrest, Tommy Scarborough, Bernard Smithart, Elizabeth Smithart, Larry K. Anderson, Sandra K. Anderson, Dale Segrest, Drayton Nabers, Fairfax Nabers, Betty Prentice, Judy Byrd, Carla Woodall, Cynthia Pittman, Richard Ramsey, James Hamlett, William Lee, Kimberly Armstrong and their business, their corporations, their heirs, their spouses, their

companies, business involving said defendants, their agents, servants, employees and attorneys, and those persons in active concert or participation with them from transferring, selling, or filing for bankruptcy;

The grounds in support of this motion are as follows:


1. Assets of above referenced Defendants' will dissipate and be for naught,
2. Plaintiffs' will be unable to seek damages which they may be entitled to,

UNLESS RESTRAINED, the above referenced Defendants will immediately transfer, sell, and/or file for bankruptcy their business and or personal assets in an attempt to prevent Plaintiffs/Contestants from seeking relief she may be entitled to.

Immediate and irreparable injury, loss and damage will result to the Plaintiffs by reason of the threatened action of the Defendants, as more particularly appears in the verified complaint filed December 27, 2007. Plaintiffs' have no adequate remedy at law.

If this preliminary injunction be granted, the injury, if any, to the Defendants herein, if final judgment be in their favor, will be inconsiderable.

Dated this 30th day of December, 2007.


KATHRYN BAUMAN RUBENSTEIN, Pro Se
And on behalf of Betty Jo Bauman & Jeff Bauman
P. O. Box 2243, Dothan, AL 36302
(334) 803-2526

~~DECLASSIFIED~~
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
CIVIL DIVISION 2

~~DECLASSIFIED~~

KATHRYN BAUMAN RUBENSTEIN,)
filing on her own behalf)
AND)
As an interested party on behalf of)
BETTY JOSEPHINE BAUMAN,)
a party unable to file on her own behalf)
AND)
As an interested party on behalf of)
JEFFREY DANIEL BAUMAN,)
a party unable to file on his own behalf)
PLAINTIFFS')
)
Vs.)
)
MARILYN BAUMAN GRANGER,)
THEODORE JULIUS BAUMAN TRUST,)
TED BAUMAN INVESTMENTS, INC.,)
TED BAUMAN REALTY, INC.,)
BETTY PRENTICE,)
KIMBERLY ARMSTRONG,)
Et al,	
DEFENDANTS'	

PLAINTIFF'S ADDENDUM TO THIRD AMENDED COMPLAINT

COMES NOW, Plaintiff, Kathryn Bauman Rubenstein, Pro se, and respectfully requests this Honorable Court to file this addendum to the Third Amended Complaint and states as follows:

That with regard to Betty Jo Bauman, there exists NO STATUE OF LIMITATIONS as per Section 6-2-8 of the CODE OF ALABAMA, in that Betty Jo Bauman was blind and mentally incompetent as of September 15, 1997 and that Betty Jo Bauman continues to remain blind and incompetent up to and including this date;

Section 6-2-8

Suspension of limitation - Disabilities.

(a) If anyone entitled to commence any of the actions enumerated in this chapter, to make an entry on land or enter a defense founded on the title to real property is, at the time the right accrues, below the age of 19 years, or insane, he or she shall have three years, or the period allowed by law for the commencement of an action if it be less than three years, after the termination of the disability to commence an action, make entry, or defend. No disability shall extend the period of limitations so as to allow an action to be commenced, entry made, or defense made after the lapse of 20 years from the time the claim or right accrued. Nothing in this section shall be interpreted as denying any imprisoned person the right to commence an action enumerated in this chapter and to make any proper appearances on his or her behalf in such actions.

(b) When both disabilities coexist at the time the claim accrued, the limitation does not attach until both are removed.

(c) A disability which did not exist when a claim accrued does not suspend the operation of the limitation unless the contrary is expressly provided.

(Code 1852, §§2498, 2499; Code 1867, §§2922, 2923; Code 1876, §§3236, 3248, 3249; Code 1886, §§2624, 2636, 2637; Code 1896, §§2807, 2821, 2822; Code 1907, §§4846, 4860, 4861; Code 1923, §§8960, 8974, 8975; Code 1940, T. 7, §§36, 46, 47; Acts 1996, No. 96-641, p. 1022, §1.)


24. Plaintiff, Betty Jo Bauman avers that Defendants' **Marilyn Granger, The Ted Bauman Trust, Regions Bank, Brian Bickhaus, Wayne Granger, Alan Kamensky, Barbara Kamensky, David Johnston, Johnston & Nanette Pitcher, Pitcher & Associates, Don Bennett, Tom Zeigenfelder, Wallace Cooley, Ross Kennedy, Zeigooley, Lexa Dowling, Tommy Scarborough & McDaniel and Associates** conspired to cheat and defraud her and Kathryn Rubenstein & Jeffrey Bauman of their rightful inheritance from Ted Bauman by conspiring in 2001 to sell a piece of real estate from the Ted Bauman Trust on or about July 29, 2001 for less than market value to Zeigooley, Inc. in order to remove it from the Ted Bauman Trust for a lower than market price and then the aforementioned Defendants' conspired to have the balance comprising the fair market value paid unto Ted Bauman Investments and/or Bauman Realty and/or Pitcher and Associates after it was sold to THE DOTHAN EAGLE on or about January 10, 2002, for the benefit of certain Defendants, causing Betty Jo Bauman, Kathryn Rubenstein, and Jeffrey Bauman to lose over \$250,000.00 plus interest in addition to unnamed damages for stress and anxiety.

WHEREFORE, Plaintiffs'/Contestants' pray that this Court will set these matters for hearing and that the issues involved herein will be made up and tried

in this Court expeditiously at a time and place conducive to this Courts calendar.

The Plaintiffs'/Contestants' pray that this Court will disallow all Defendants from profiting in any manner from their tortuous actions. The Plaintiffs'/Contestants' pray for such other, further, or more general relief to which they may, in equity and good conscience, be entitled.


Respectfully submitted this 30th day of December 2007


KATHRYN BAUMAN RUBENSTEIN, Attorney Pro Se
P. O. Box 2243, Dothan, AL 36302
(334) 803-2526

PLAINTIFF/CONTESTANT DEMANDS TRIAL BY JURY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE SERVED A COPY OF THE ABOVE AND FOREGOING TO: William L. Lee, III, Esq. P.O. Box 1665, Dothan, AL 36302 , Stephen G. McGowan, Esq. P.O. Box 2101, . Dothan, Alabama 36302, William Hinesley, P.O. Box 2246, Dothan, AL 36302, Dothan, AL 36302, Joel Weatherford, Esq., Farmer, Price, Hornsby & Weatherford, P.O. Drawer 2228, Dothan, AL 36302, Don Bennett, Esq., P.O. Box 1392, Dothan, AL 36302, Mike Conaway, Esq. 360 N. Oates, St. Dothan, AL 36303, Tommy Scarborough, Esq. 119 S. Foster St. Dothan, AL 36301, Jere Segrest, Esq., P.O. Box 1469, Dothan, AL 36302, Arthur Medley, Esq., 114 N. Oates Street, Dothan, AL 36303, Margaret Johnson, Houston County DHR, 3201 Ross Clark Circle, S.E. Dothan, AL 36301, Houston County DHR, 3201 Ross Clark Circle, S.E. Dothan, AL 36301, , Richard Fox, Tallahassee Florida, FL 33921, Robert Merrill Girardeau, Esq., Three Protective Center, 2801 Highway 280 S. Suite 200, Birmingham , The Segrest Law Firm, 301 King Street, P.O. Box 780791, Tallassee, AL 36078, John A. Smyth, III, Maynard, Cooper & Gale, P.C., 1901 6th Avenue North, 2400 AmSouth/Harbert Plaza, Birmingham, AL 35203, Anne Stone Sublin, Esq., Walston Wells & Birchall, LLP, P.O. Box 345, Kinston, AL 36453. James D. Hamlett, Esq. 621 S. Hull Street, Montgomery, AL 36104, Houston County DHR & Margaret Johnson, 3201 Ross Clark Circle, Dothan, AL 36301, Gary Clayborn Sherrer, Esq., Sherrer, Jones & Terry, P.C. 335 West Main Street, Dothan, AL 36301, James Davis Farmer & Virginia Lynn McInnis, Farmer, Farmer & Malone, PA, 112 West Troy Street, P.O. Drawer 668, Dothan, AL 36303, Wade Hampton Baxley, Ramsey, Baxley & McDougale, P.O. Box Drawer 1486, Dothan, AL 36302, Richard Ramsey, III Esq., 256 Honeysuckle Road, Suite 26, Dothan, AL 36305. R. Cliff Mendheim, Esq., Buntin, Etheridge & Dowling, P.O.Box 1193, Dothan, AL 36302, by placing a copy of the same in the United States Mail, properly addressed and postage prepaid, this 30 day of December 2007:


KATHRYN BAUMAN RUBENSTEIN, Attorney Pro Se
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(334) 803-2526